IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.717 OF 2006

In

ARBITRATION PETITION NO.156 OF 2006

Shri Girdharbhai Keshavlal Parmar & Ors. : Appellants

(Orig.Resp.Nos.2 to 6)

V/s.

Shri Narendra Jethalal Parmar & Anr. : Respondents

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Mr.S.B.Prabhavalkar with Ms D.K.Juvekar for the appellants.

Mr.Milind Vasudeo i/b. Mr.Rajesh Trivedi for respondent no.1.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : OCTOBER 16, 2006.

P.C.

1. After arguing the appeal for sometime, Mr.Prabhavalkar, the counsel for the appellants, prays for withdrawal of the appeal with liberty to the appellants to apply for review of the order dated 4.9.2006.

2. The prayer made by the counsel for the appellants is fair and reasonable.

3. We, accordingly, grant permission to the appellants to withdraw the appeal with liberty to make an application for review of the order dated 4.9.2006. Liberty granted by us shall not be construed as the Court's opinion on the sufficiency of the cause for condonation of delay on the merits of the review petition. It will be for the appellants to explain the delay in filing the review application and make out the ground for review.

4. Time for handing over the possession of the property situate on 3rd floor of Harikripa Bldg., along with terrace by the present appellants to the respondent no.1 stands extended upto 30.11.2006.

R.M. LODHA, J.

S.A. BOBDE, J.

APP717.06B